

AGENDA

REGULAR MEETING
BOARD OF COMMISSIONERS
315 WEST SECOND STREET
FRANKFORT, KY 40601
502/875-8500

JULY 25, 2005
5:30 P.M. (EDT)

1. **INVOCATION**
PLEDGE OF ALLEGIANCE
ROLL CALL
MINUTES

Jackson Brewer, First United Methodist Church
John Hammond

June 27, 2005 Regular Meeting; June 30, 2005
Special Meeting; July 7, 2005 Special Meeting;
July 11, 2005 Work Session.

MAYOR'S REPORT

2. **CEREMONIAL ITEMS**

2.1 Frankfort Rotary Club Sister City Presentation – San Pedro de Macoris, Dominican Republic

2.2 Presentation by former Frankfort/Franklin County Planning Commission Chairman Michael Davenport.

3. **ORDINANCES**

- 3.1 **SECOND READING:** An Ordinance creating new positions of Information Technology Manager, GIS Technician, Code Enforcement Inspector, Staff Engineer, Mapping Supervisor/Telecommunicator, and Sewer Laboratory Assistant for Fiscal Year 2005-2006.

Purpose: To authorize the creation of the new positions of Information Technology Manager, GIS Technician, Code Enforcement Inspector, Staff Engineer, Mapping Supervisor/Telecommunicator, and Sewer Laboratory Assistant for Fiscal Year 2005-2006.

Background: Six new positions are identified for Fiscal Year 2005-2006 to meet increased demands for services. These positions will be assigned to the following departments:

City Manager

- Information Technology Manager
- GIS Technician

Planning/Building Codes

- Code Enforcement Inspector

Public Works

- Staff Engineer

Communications

- Mapping Supervisor/Telecommunicator

Sewer

- Laboratory Assistant

This ordinance had first reading on June 27, 2005.

Recommendation: Approval

Attachments: Ordinance

Contact:

Name:	Tony Massey	James C. Rogers
Title:	City Manager	Finance Director
Department:	City Manager	Finance
Phone:	502/875-8500	502/875-8500
E-Mail:	amassey@fewpb.com	jrogers@fewpb.com

- 3.2 **SECOND READING:** An Ordinance establishing the pay plan for the new positions of Information Technology Manager, GIS Technician, Code Enforcement Inspector, Staff Engineer, Mapping Supervisor/Telcommunicator, and Sewer Laboratory Assistant

Purpose: To authorize a Pay Plan for six new positions established for Fiscal Year 2005-2006.

This ordinance had first reading on June 27, 2005.

Recommendation: Approval

Attachments: Ordinance

Contact:

Name:	Tony Massey	James C. Rogers
Title:	City Manager	Finance Director
Department:	City Manager	Finance
Phone:	502/875-8500	502/875-8500
E-Mail:	amassey@fewpb.com	jrogers@fewpb.com

- 3.3 **FIRST READING:** An Ordinance rezoning property identified as Tract III Leonardwood Drive being a 0.4803 acre tract of the Cedars Subdivision, Phase II, located at the intersection of Leonardwood Drive and Kings Daughters Drive (map #050-00-00-067.04) from RH (High-Density Multi-Family Residential) to CL (Limited Commercial).

Purpose: To authorize approval of the recommendation of approval by the Frankfort/Franklin County Planning Commission concerning a zone map amendment by Attorney John Baughman, on behalf of Ashwood Place Limited Partnership, for the 0.4803 acre tract of the Cedars Subdivision, Phase II from RH (High-Density Multi-Family Residential) to CL (Limited Commercial) for the property identified as Tract III Leonardwood Drive, located at the intersection of Leonardwood Drive and Kings Daughters Drive (map #050-00-00-067.04).

Background: KRS requires that a public hearing be held by the Planning Commission and that the Planning Commission's recommendation be forwarded to the Local Government (City Commission) for final approval or denial.

Should the City Commission desire to not follow the Planning Commission's recommendation, then the item must be tabled and a request for a verbatim transcript of the Planning Commission meeting, which must be obtained before the item can be heard by the City Commission. The City Commission will then be required to make their own findings of fact based on the verbatim transcript or hold its own public hearing and then make findings of fact.

On June 14, 2005, the Frankfort-Franklin County Planning Commission held a public hearing to consider a zone change request for this property. The public hearing was closed and the Planning Commission approved the report and testimony as the summary, approved and adopted the 12 findings of fact as indicated within the report, and motioned to recommend approval of a zone map amendment from RH (High-Density Multi-Family Residential) to CL (Limited Commercial). The motion to recommend approval

of the requested zone map amendment passed by a vote of 8-0, based on the testimony received, findings of fact, and that the recommended zone map amendment is consistent with the adopted Comprehensive Plan.

Recommendation: I recommend that the City Commission approve the recommendation of approval from the Frankfort/ Franklin County Planning Commission for a zone map amendment, from RH (High-Density Multi-Family Residential) to CL (Limited Commercial) for a 0.4803 acre tract of the Cedars Subdivision, Phase II, more specifically described as Tract III Leonardwood Drive, located at the intersection of Leonardwood Drive and Kings Daughters Drive with the parcel map #050-00-00-067.04.

Attachments: Adopted Findings of Fact
Staff report reviewed by the Frankfort/Franklin County Planning Commission
Minutes from the June 14, 2005 meeting (to be provided upon completion)

Contact
Name: Gary Muller
Title: Director of Planning and Building Codes
Department: Planning and Building Codes
Phone: (502) 352-2100
E-mail: Gmuller@fewpb.com

- 3.4 **FIRST READING:** An Ordinance amending Ordinance no. 8, 1983 series, article 2, section 2.115; article 5 in its entirety; and article 8, sections 8.40, 8.401, 8.402, 8.403, and 8.404.

Purpose: To authorize amending the City's Zoning Ordinance to remove the inconsistencies related to the adopted Subdivision and Site Plan Regulations as recommended by the Frankfort/Franklin County Planning Commission and the Zoning Update Committee.

Background: On November 20, 2003 the Subdivision and Site plan regulations were adopted. After several public work shops with the Subdivision Update Committee and Zoning Update Committee – amendments were recommended to be made to the Subdivision and Site Plan Regulations as well as the Zoning Ordinance in order to remove the inconsistencies.

Attached are the text amendments for the City's Zoning Ordinance to make consistent with the Subdivision and Development Plan Regulations with strikeout for language to be deleted and underline text for language that is new. The county has adopted this same amendment earlier this year – with the exception that they did not define “concept plan”.

On November 18, 2004, the Frankfort/Franklin County Planning Commission held a public hearing and took testimony concerning the attached ordinance amendments, then closed the public testimony and tabled the item to allow for the summary to be prepared.

On December 9, 2004, the Frankfort/Franklin County Planning Commission removed the item from the table, held discussions and moved to approve the attached zoning ordinance amendments and recommend the City and County agencies to approve the proposed text amendments. (Motion passed by a unanimous vote of 8-0)

Recommendation: Approval

Attachments:

- The adopted summary and minutes from the Public Hearing by the Frankfort/Franklin County Planning Commission.
- Planning Commission report dated November 9, 2004.
- Proposed text amendment

Contact
Name: Gary Muller
Title: Planning and Building Codes Director
Department: Planning
Phone: 875-8513
Email: gmuller@fewpb.com

- 3.5 **FIRST READING:** An Ordinance amending Ordinance no. 8, 1983 series, article 4, section 4.01 – Table of Permitted Uses (Land Use Codes: 802, 803, 805, 809, 823, 824, 833, 841, 843, 844, 851, 853 & 873).

Purpose: To amend the City's Zoning Ordinance, Article 4, specifically the table of permitted uses to properly reflect more recreational uses as conditional within the CL, CG, CH and CB districts, as recommended by the Frankfort/Franklin County Planning Commission and the Zoning Update Committee. (The specific activities proposed to be added as conditional uses include the following Land Use Codes: 802, 803, 805, 809, 823, 824, 833, 841, 843, 844, 851, 853 & 873)

Background: Staff was contacted by a citizen requesting information pertaining to recreational uses in the Limited Commercial district "CL". After review of the Land Use table, contained in Article 4 of the Frankfort Zoning Ordinance, it was revealed that playgrounds, playfields and tot lots (Land Use Code #801) and Subdivision Community Centers (Land Use Code #872) were the only recreational based activities allowable in the "CL" district as a conditional use. On January 5 & March 30, 2005, the Zoning Update Committee met to discuss these proposed amendment to the Land Use Table.

On June 14, 2005, the Frankfort/Franklin County Planning Commission held a public hearing and took testimony concerning the attached ordinance amendments (no one other than staff spoke on this item), then closed the public testimony, approved the report and testimony given as the summary, and recommended that the City Commission approve the proposed text amendment by an unanimous vote.

Recommendation: Approval

Attachments:

- The adopted minutes from the Public Hearing by the Frankfort/Franklin County Planning Commission. (to be provided when complete – anticipated by July 15, 2005)
- Planning Commission report reviewed.
- Proposed Ordinance and text amendment

Contact
Name: Gary Muller
Title: Planning and Building Codes Director
Department: Planning
Phone: 875-8513
Email: gmuller@fewpb.com

- 3.6 **FIRST READING:** An Ordinance amending Frankfort Code of Ordinances Chapter 37, Personnel City Employees, Section 37.34, Biweekly Rates, Section 37.35, Positions for Sewer Department, and Section 37.45, Entry Level Salaries and Salaries of Specially Qualified Public Safety Personnel.

Purpose: To amend sections of Frankfort Code of Ordinances to adjust positions and classifications, and eliminate "rollback" provisions for officers and employees of the City of Frankfort.

Background: The Mercer Personnel Study evaluated positions and classifications, as well as other aspects of the City's personnel system. This ordinance is the first step to revising the personnel system.

Some positions and classifications are renamed and applicable classifications adjusted. Elimination of “rollback” will enable employees to be paid the correct wage for their listed classification.

Financial Analysis: Cost to make affected adjustments will be approximately \$230,000. Funds are currently budgeted for Fiscal Year 2005-2006.

Recommendation: Approval

Attachments: Ordinance

Contact:

Name: John Morrow
Title: Personnel Director
Department: Personnel
Phone: 502/875-8500
E-Mail: jmorrow@fewpb.com

4. **ORDERS**

4.1 An Order Authorizing a Management Agreement for Juniper Hill Golf Course.

Purpose: To consider the renewal of the Management Agreement for Juniper Hill Golf Course.

Background: In April 2004, the City entered into an agreement with Kirk Schooley, a PGA Certified Golf Professional, for the operation and maintenance of Juniper Hill Golf Course. The agreement was for one (1) year with a 90 day cancellation upon notice from either party. The compensation and duties are outlined in the attached agreement.

The renewal agreement is proposed for five (5) years. This will ensure that the agreement will stay current preventing possible conflicts with the alcohol licenses. The 90 day cancellation notice will remain.

Financial Analysis: The Pro shall receive an annual salary of \$35,000 commensurate with the City's Salary Schedule and years of service plus benefits (benefits shall not include accrual of vacation, sick, holiday or compensatory leave) and any cost-of-living adjustments accorded other city employees. The Pro shall also receive 10.3 percent of the revenues received for golf cart rentals (up to a maximum of \$16,500 per year) and 35 free memberships to distribute as he sees fit as further part of his remuneration. Funds are available in account no. 100.70.51000 personnel services.

Recommendation: Approval

Attachment: Management Agreement

Contact:

Name:	Tony Massey	Steven M. Gravitt	Kirk, Schooley
Title:	City Manager	Finance Director	Golf Pro
Department:	City Manager	Finance	Golf
Phone:	502/875-8500	502/875-8500	502/875-8559
E-Mail:	amassey@fewpb.com		kschooley@fewpb.com

4.2 Kentucky Retirement Systems Order of Participation Standard Unused Sick Leave Program as Provided for By Chapter 78.616 (1)(2)(3)(4).

Purpose: To consider lifting the six-month cap on credit of unused sick leave for City Employees relative to calculation of retirement benefits in the County Employees Retirement System (CERS).

Background: The City of Frankfort joined CERS in 1988. At that time, accrual of unused sick leave toward retirement credit was capped at six months. Since then, the six month cap has been lifted by the State. In order for Frankfort city employees to enjoy this benefit, an Order must be entered and submitted to the Kentucky Retirement Systems.

Recommendation: Approval

Attachments: Order

Contact

Name: John Morrow
Title: Personnel Director
Department: Personnel
Phone: 502/875-8500
E-Mail: jmorrow@fewpb.com

5. **RESOLUTIONS**

- 5.1 Resolution authorizing a Memorandum of Understanding between the City of Frankfort and Franklin County Fiscal Court to administer a 2005 Byrne Justice Assistance Grant and authorize the Mayor to sign all grant related documents

Purpose: To authorize a Memorandum of Understanding (MOU) between the City of Frankfort and the Franklin County Fiscal Court to administer a 2005 Byrne Justice Assistance Grant and authorize the Mayor to sign all grant related documents.

Background: In March 2005, Franklin County Fiscal Court applied for a 2005 Byrne Justice Assistance Grant to provide funding for crime prevention activities for four local social services agencies. Notice has been received that funding is approved in the amount of \$28,761, which will be equally divided among Thorn Hill Learning Center, The Kings Center, Safe Place, and Court Appointed Special Advocate (CASA). Both the City of Frankfort and Franklin County Fiscal Court must sign a Memorandum of Understanding to accept and administer the grant. Additionally, it is required that each City Commissioner and County Magistrate receive a copy of the grant application, with a thirty day comment period.

Franklin County Fiscal Court approved the MOU July 22, 2005.

Financial Analysis: The \$28,761 grant amount will be passed through to the local social service agencies. No local match is required.

Recommendation: Approval

Attachments: Resolution
Memorandum from Jim Hillman, Franklin County Community Development Specialist
Memorandum of Understanding

Contact:

Name: Tony Massey
Title: City Manager
Department: City Manager
Phone: 502/875/8500
E-Mail: Amassey@fewpb.com

6. **CONSENT CALENDAR**

Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so

requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.

- 6.1 To consider authorizing suspension of time in rank requirement for Fire Battalion Chief eligibility (Fire Department)

Purpose: To authorize suspending the promotional requirement for Battalion Chief of having to serve two years in the previous rank before being eligible for promotion. For the 2005 eligibility list for Battalion Chief the time in rank requirement will be one year.

Background: The Fire Department has three Battalion Chief positions in its rank structure with one Battalion Chief in charge of each crew. This fall two of these Battalion Chiefs will be retiring leaving two positions that will need to be filled by promoting Captains.

Our current policy requires (Ordinance 40.17 (3)) that "A member of the Fire Department must serve two years in the next lower rank before he or she will be deemed eligible for promotion". This provision however will present a problem with this year's promotional process in that only one of the five Captains will have two years in rank by that time. Because of this situation it is recommended that the two-year rank requirement be suspended for this year's eligibility stipulation for the rank of Battalion Chief only. All other ranks will maintain the two-year requirement. Suspension of the two-year requirement is the most appropriate solution to this problem.

The Civil Service Board unanimously supports and concurs with this recommendation as certified on the attached memorandum.

Recommendation: Approval

Attachments: June 8, 2005 memorandum

Contact Persons

Name:	Wallace Possich	John Morrow
Title:	Fire Chief	Human Resources Director
Dept.:	Fire	City Manager
Phone:	502/875-8511	502/875-8500
E-Mail:	wpossich@fewpb.com	jmorrow@fewpb.com

- 6.2 To consider authorizing a bid Award for a ¾ ton 4 Wheel Drive Truck (Public Works Department)

Purpose: The purpose of this item is to consider a bid award to Jeff Jones Chevrolet for one ¾ ton 4 Wheel Drive Truck.

Background: The Street Division has a vehicle budgeted in the current 2005-2006 budget. The ¾ ton 4 Wheel Drive Truck will be purchased through Kentucky State Price Master Contract # C-01012816 in the amount of \$25,264.00.

Financial Analysis: Funding is allocated in the amount of \$25,264.00 in the Street Division's Equipment Account (# 100-62-56550) for this purchase.

Recommendation: Approval

Attachments: None

Contact Person

Name:	Jeff Hackbart
Title:	Director
Department:	Public Works

Phone: (502) 352-2091
E-mail: jhackbrt@fewpb.com

6.3 To consider authorizing the bid Award to Hunt Tractor for one backhoe (Public Works Department)

Purpose: The purpose of this item is to consider a bid award to Hunt Tractor for one backhoe.

Background: The Street Division has a backhoe budgeted in the current 2005-2006 budget. The Case Backhoe will be purchased through Kentucky State Price Master Contract # C-05074289 in the amount of \$63,180. The new backhoe will replace a 1993 John Deere backhoe that will be transferred to the City Golf Course.

Financial Analysis: Funding is allocated in the amount of \$63,180 in the Street Division's Equipment Account (100-62-56550) for this purchase.

Recommendation: Approval

Attachments: None

Contact

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: (502) 352-2091
E-mail: jhackbrt@fewpb.com

6.4 To consider authorizing a bid award to Jeff Jones Chevrolet for one 2006 crew cab pickup truck (Public Works Department).

Purpose: The purpose of this item is to consider a bid award to Jeff Jones Chevrolet for one crew cab pickup truck.

Background: The Street Division has a crew cab pickup truck budgeted in the current 2005-2006 budget. The 2 wheel drive pickup truck will be purchased through Kentucky State Price Master Contract # C-01012816 in the amount of \$22,438.00

Financial Analysis: Funding is allocated in the amount of \$22,438.00 in the Street Division's Equipment Account (100-62-56550) for this purchase.

Recommendation: Approval

Attachments: None

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: (502) 352-2091
E-mail: jhackbrt@fewpb.com

6.5 To consider authorizing a bid award to Jeff Jones Chevrolet for one dump truck with snowplow (Public Works Department).

Purpose: The purpose of this item is to consider a bid award to Jeff Jones Chevrolet for one dump truck with snowplow.

Background: The Street Division has a dump truck budgeted in the current 2005-2006 budget. The dump truck with snow plow will be purchased through Kentucky State Price Master Contract # M-04500521 in the amount of \$85,000.00

Financial Analysis: Funding is allocated in the amount of \$85,000.00 in the Street Division's Equipment Account (# 100-62-56550) for this purchase.

Recommendation: Approval

Attachments: None

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: (502) 352-2091
E-mail: jhackbrt@fewpb.com

- 6.6 To consider authorizing a bid award to Jeff Jones Chevrolet for one 2006 Chevrolet Passenger Van (Public Works Department).

Purpose: The purpose of this item is to consider a bid award to Jeff Jones Chevrolet for one 2006 Chevrolet passenger van.

Background: The Sanitation Division has a passenger van budgeted in the current 2005-2006 budget. The 2006 Chevrolet passenger van will be purchased through Kentucky State Price Master Contract # C-01012816 in the amount of \$19,390.

Financial Analysis: Funding is allocated in the amount of \$19,390 in the Sanitation Division's Equipment Account (# 100-65-56550) for this purchase.

Recommendation: Approval

Attachments: None

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: (502) 352-2091
E-mail: jhackbrt@fewpb.com

- 6.7 To authorize a Sewer Extension Contract to serve Wellington Place at Lot 3 Leonardwood Drive (44-unit Condominium Development) in Frankfort, Kentucky (Sewer Department).

Purpose: To approve a sewer extension contract for Wellington Place at Lot 3 Leonardwood Drive in Frankfort, Kentucky, which is zoned residential with a 44-unit Condominium Development, with improvements including 2 new manholes and 491 feet of 8-inch SDR 35 pipe.

Background: Prior to acceptance of discharge from a development into the municipal sanitary sewer and acceptance of the development's collection by the Department, a contract must be entered into between the developer and the City of Frankfort.

David Stockton, a member of Houston Properties, LLC has signed the contract. Sanitary sewer plans and specifications have been prepared and submitted to the Department for review and approval. The

Division of Water has approved the sanitary sewer plans and specifications. Final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed.

Recommendation: Approval

Attachments: Sewer Extension Contract

Contact Person

Name: William R. Scalf, Jr., P.E.
Title: Director
Department: Sewer
Phone: 875-2448
Email: wscalf@fewpb.com

- 6.8 To consider authorization to submit a grant application for Area Development Funds (ADF) to purchase 38 new ADA approved picnic tables for park pavilions and authorize the Mayor to execute any and all relate grant documents.

Purpose: To consider approval for: 1) submitting a grant application for ADF to purchase 38 new, ADA approved picnic tables for park pavilions and 2) authorizing the Mayor to execute any and all related grant documents.

Background: Frankfort/Franklin County receives an annual allocation from Bluegrass Area Development District for ADF. The City and County alternate application years. This year it is the City's turn to apply. The amount of our ADF allocation for FY 2005-2006 is \$7,080. A pre-application is due on August 1, 2005. Funds may be used for capital improvements including: Property Acquisition, Development, or Equipment Purchase.

Departments within City government were contacted for project proposals and several suggestions were received. However, Parks & Recreation was the only Department with a viable, "ready to go" project. The total estimated cost is \$19,000, \$7,080 ADF and \$11,920 city cash.

Attachments: Copy of Pre-application

Financial Analysis: The matching funds are included in the Parks & Recreation Account No. 100.80-56550.

Recommendation: Approval

Contact

Name: Steve Brooks
Tile: Director
Department: Parks & Recreation Dept.
Phone: 502/352-2029
E-Mail: sbrooks@fewpb.com

- 6.9 To consider a request from Kentucky Finance & Administration Cabinet to lease the City's vacant lot at 101 Watson Court.

Purpose: To authorize the Mayor to execute a Lease Agreement between the City of Frankfort and the Commonwealth of Kentucky to allow the Commonwealth to utilize the vacant lot at 101 Watson Court, Frankfort, Kentucky for the purpose of installing parking space for up to 15 vehicles. The term of the lease will be 12 months with further 12-month extensions not to exceed 7 extensions.

Background: The construction of the new library on the City's Wapping Street parking lot has diminished the availability of parking for field staff and for other persons having business with the Commonwealth's

offices located in the Bush Building adjacent to the parking lot. Therefore, the Commonwealth has requested the City's consideration for leasing its vacant lot at 101 Watson Court to fill this need. Ingress and egress for the lot will be through the Commonwealth's lot behind the Bush Building.

Since the site was acquired under the 1997 Flood Buy Out, there will be no paving of the lot. Materials used for the parking area will be water permeable in conformance with the deed's open green space restrictions. The Kentucky Finance and Administration staff and the city staff have consulted with the Kentucky Division of Emergency Management during this process. The Commonwealth will be responsible for developing the parking area and for the on-going maintenance of the site during the term of the lease as well as procuring and maintaining casualty and liability insurance for the site.

The City and the Commonwealth have other lease agreements whereby each has leased from the other for the sum of \$1.00 per year.

Attachments: Copy of Lease Agreement
Copy of Preliminary Site Plan

Financial Analysis: The Commonwealth will be responsible for all cost to develop the parking area and on-going maintenance during the term of the lease.

Recommendation: Approval

Contact

Name:	Rob Moore	Jo Shockley
Title:	City Attorney	Grants Manager
Department:	Legal	City Manager's Office
Phone:	(502)227-2271	(502)875-8500
E-Mail:	rmoore@hazelcox.com	jshockley@fewpb.com

6.10 To authorize the appointment of Steven Gravitt as City of Frankfort Alcohol Beverage Administrator.

Purpose: To appoint Steven Gravitt as the Alcohol Beverage Administrator for the City of Frankfort.

Background: James C. Rogers, City Finance Director, was appointed City Alcohol Beverage Administrator on April 8, 1974. With the retirement of Mr. Rogers, it is necessary to appoint a new Alcohol Beverage Administrator. As incoming Finance Director, Steven Gravitt is recommended for this appointment.

Attachments: None

Recommendation: Approval

Contact:

Name:	James Rogers
Title:	Finance Director
Department:	Finance
Phone:	502/875-8500
E-Mail:	jrogers@fewpb.com

6.11 Personnel

<u>Personnel Action</u>	<u>Employee</u>	<u>Effective Department</u>	<u>Date</u>	<u>Other</u>
Appointment	Jennifer C. Markin,	Communications	7/26/05	Telecommunicator

Promotion	Robert Warfel	Police	8/1/05	Patrol Officer III to Sergeant
Resignation	Timothy N. Vandermark	Police	7/5/05	Patrol Officer Recruit, authorize payment of accrued vacation and holiday pay as of 7/31/05.
Retirement	Danny R. Dean	Police	7/31/05	Police Sergeant, authorize payment of all accrued vacation and holiday pay as of 7/31/05.
	Gregg Riggs	Fire	7/31/05	Battalion Chief, authorize payment of all accrued vacation, holiday and compensatory time as of 7/31/05.

*Conditional Offer of Employment
Mark Allen Little Patrol Officer

*Contingent upon successful completion of physical, psychological, polygraph and drug screen examinations

Attachments: Resignation letter from Timothy N. Vandermark
Retirement letter from Danny R. Dean
Retirement letter from Gregg Riggs

Contact
Name: John Morrow
Title: Personnel Director
Department: City Manager's Office
Phone: (502) 875-8500
E-Mail: JMorrow@fewpb.com

7. BOARD APPOINTMENTS

None

8. OLD BUSINESS

- 8.1 To authorize approval of a permit agreement for the Holmes Street Drainage Project with CSX Transportation.

Purpose: The purpose of this item is to consider a permit agreement for the Holmes Street Drainage Project with CSX Transportation.

Background: The City desires to construct, use and maintain a drainage system along the rail corridor owned or controlled by CSX Transportation and RJ Corman Railroad Company. The permit agreement will allow the city to construct an 840' long – 8' diameter tunnel, known as the East Main Outlet Tunnel (EMO), with approximately 64' being located beneath the existing railroad tunnel. The permit shall also allow the city to construct a drainage system consisting of pipes, manholes, and inlets that parallel the railroad spur that lies adjacent to Clinton Street and along property utilized for rail operations. A portion of the tracks have been removed, and title records are not available.

In lieu of annual payments and in consideration of Licensor's waiver of future fee increases, the City agrees to pay a one-time non-refundable permit fee of \$50,000 (Fifty Thousand Dollars) upon execution of this agreement. In turn, the Licensor has agreed to waive the steel tunnel liner plates requirement that will reduce the estimated construction cost by approximately \$250,000. The agreement states that the city shall: reimburse the Licensee for the entire cost of furnishing a construction inspector, indemnify the Licensor, and shall monitor and perform all repairs and maintenance of the drainage system

Financial Analysis: Subject to Commission authorization, funds are available in the Bond Issue, in the amount of \$50,000, for the CSX Permit Agreement.

Recommendation: Approval

Attachments: Permit Agreement

Contact Person

Name:	Jeff Hackbart	Ray Bascom
Title:	Director	Project Engineer
Department:	Public Works	HMB Engineers
Phone	(502) 875-8563	695-9800
E-mail	jhackbrt@fewpb.com	

- 9. NEW BUSINESS**
- 10. CITIZEN COMMENTS (Non-agenda items)**
- 11. COMMISSIONER COMMENTS**
- 12. ADJOURNMENT**